

STAND. COM. REP. NO.

256

Honolulu, Hawaii

February 14, 2017

RE: H.B. No. 1501

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred H.B. No. 1501 entitled:

"A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA,"

begs leave to report as follows:

The purpose of this measure is to reclassify drug paraphernalia possession and delivery offenses from class C felonies to civil violations.

American Civil Liberties Union of Hawaii; Community Alliance on Prisons; Ho'omana Pono, LLC.; Hawaii Dispensary Alliance; The Drug Policy Forum of Hawaii; CannaMoms; Medically Correct, LLC.; CannaKids; Hey Jackpot, LLC; NuWayve Unlimited; African American Lawyers Association; Honolulu Hawaii National Association for the Advancement of Colored People; Community Health Outreach Work Project; Grow for Vets; Edibles List Magazine; Asian Cannabis Association; Jayden's Journey; Drug Policy Action Group; and many concerned individuals supported this measure. The Office of the Prosecuting Attorney of the County of Hawaii, Department of the Prosecuting Attorney of the City and County of Honolulu, and one concerned individual opposed this measure. The Judiciary offered comments.

Your Committee notes the Judiciary's concern that reclassifying drug paraphernalia possession and delivery offenses from class C felonies to civil violations would require the District Courts to create new forms, schedule civil violation

HB1501 HD1 HSCR PBS HMS 2017-2061



calendar sessions, and train staff to process these cases, among other challenges. The Judiciary reports that administrative implementation of the reclassification will take six to seven months and costs approximately \$850,000.

Your Committee has amended this measure by changing its effective date to July 1, 2099, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1501, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1501, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



GREGG TABAYAMA, Chair



